

The First 50 Women in Idaho Law

EDITH MILLER KLEIN

January 7, 1947

(1915 – 1998)

Edith Miller Klein was born on August 4, 1915 in Wallace, Idaho. Her father, Fred Miller, was a German immigrant who came to Chicago as a meat cutter and eventually found his way to Moscow, Idaho. Klein's mother, Edith (Gallup) Miller, grew up in Orofino with an aunt because her mother had died and later moved to Moscow to help her father run a boarding house. While working at this boarding house, Klein's mother met Fred Miller, a man 20 years her senior, and they married (much to the consternation of her mother's family). Klein's parents had a house in Moscow and also had a meat shop and house in Kellogg, so the young Klein and her brother split their time between these two areas. Klein's mother never worked outside the home, but was an accomplished pianist and the family was very involved in the neighborhood orchestra.

Both of Klein's parents were strong advocates of a university education. Although they didn't have an advanced education themselves, Klein's parents encouraged her to get a college degree. As such, Klein enrolled in nearby University of Idaho. While there, Klein stayed very busy: she lived at home, but took 20 credits a semester, worked four part-time jobs, was a "Hell Diver" with the swimming team and also played on the soccer and basketball teams. She graduated college in just 3 years with a degree in business administration in 1935 at the age of 19. Klein believed business administration was a good background for a future career in law, but, at the time, she was very shy and afraid to attend law school because there were little or no women in those classes. Instead, Klein went to Washington State University where she was offered a teaching fellowship. Klein taught business and worked on her master's degree at WSU.

After her teaching fellowship ended, Klein returned to Moscow and worked as a secretary at Psychiana, a mail-order religion owned by Dr. Robinson. She also taught one year of high school in Grangeville. Klein then moved to Pocatello and worked for the State Employment Service. While in Pocatello, Klein first became politically active. Klein then moved to Weiser to teach in a vocational school.

By this time, World War II had started. In 1943, Klein decided to sell her car and move to Washington, D.C. where she went to work for the Labor Department and later, as a personnel specialist in the War Department. While in D.C., Klein began attending law school at George Washington University at night and worked during the day. Law school was difficult for Klein because her job took a great deal of time and travel, but school officials were very cooperative. While other Washington law schools, such as Georgetown, did not admit women, GWU did admit women and, therefore, attracted them in large numbers. In fact, Klein recalls that her law school class was comprised of somewhere between a quarter to a third of women. Klein graduated with a law degree from GWU in 1946 and took and passed the D.C. bar, reflecting that World War II opened up many more opportunities for women than existed prior to the war.

After law school, Klein returned to Idaho. When she arrived in Boise, it was a sleepy town of about 30,000 where housing and automobiles for sale were practically non-existent at the end of

the war. Luckily, some friends had an extra bedroom and another friend sold her a vintage Plymouth. Klein took and passed the Idaho Bar and was admitted as the seventeenth woman to practice law in Idaho on January 7, 1947.

Klein reported that she never felt that she was treated poorly in court because she was a woman, but she did experience discrimination outside of the courtroom. In 1947, some law firms would not hire women. For example, Klein applied for, but did not receive, a position with Langroise, Clark, Sullivan & Smylie when she moved to Boise. Undeterred, Klein approached Eugene H. Anderson and Darwin W. Thomas for a job and was hired. The arrangement, however, was that she would receive the same salary as the office secretary, do her own stenographic work for all cases and would receive an additional “finder’s fee” of one-third of the fee for cases she brought to the office. That arrangement, recalled Klein, gave her a “foot in the door.” Klein soon developed a solid practice of her own, which included being appointed a part-time Boise city judge (a first in Boise). There were other women attorneys in the state at the time – including Mary Smith Oldham and Mary Schmitt – but none practiced in Boise. Thus, she had no role model for court apparel. At that time, most women would not go out on the streets of Boise without wearing hats and gloves. So Klein decided the best thing to do would be to wear suits as the men did (with skirts instead of pants), but not to wear short-sleeve dresses, hats or gloves. Others followed her lead.

Almost immediately upon her return to Boise Klein was asked to serve as Judge of the Municipal Court in Boise, a position she held from 1947-1948.

Given her interest in politics, Klein decided to run for office and, in 1948, first ran for the Idaho Legislature. At the time, Idaho had had a few women legislators (Helen Miller and Marguerite Campbell), but a female legislator from Boise was a novelty. During her first term in office from 1949-50, Klein met Louise Shadduck, the first administrative assistant to the governor. Louise introduced Klein to Sandor (“Sandy”) S. Klein, a journalist with United Press International. Sandy was often around the statehouse during the session, seated in the press area in the balcony above the House chambers, while Edith was on the House floor. During one such session, Boise attorney Carl Burke recalls, Sandy stood up in the House balcony and was recognized by the Speaker of the House, at which time he asked Edith to stand as well. Sandy proposed from the balcony of the House chamber, and Edith accepted; in 1949 they were married.

In 1953, the Kleins moved to Washington, D.C. Sandy worked for Senator Dworshak and Edith earned her L.L.M. in tax from George Washington University in 1954. Thereafter, Klein worked for the Federal Communications Commission licensing television stations and was admitted to the United States Supreme Court Bar in 1954. Two years later the Kleins moved to New York where, after being admitted to the New York Bar in 1955, Edith worked for the United States Housing Administration.

In 1957, Klein returned to Idaho and joined the firm of Langroise, Clark, Sullivan & Smylie in Boise (now Holland & Hart) and Sandy became the managing and executive editor of *The Idaho Statesman*. Klein once again pursued politics, but, after being defeated three times, was hired as an attorney for the House of Representatives to draft legislation. Klein said that this job was very

difficult, requiring long hours using primitive equipment. Nonetheless, she found the work fascinating.

In 1964, Klein successfully ran for the House of Representatives and served there until 1968 when she was elected to the Idaho Senate. In 1968, Klein also became a partner in her law firm. Klein served in the Idaho Senate until 1982 for a total of 20 years in the Idaho State Legislature, including 14 years in the Idaho Senate where she was often the only woman. During each of these 20 years, she held committee chairmanships, particularly on the Judiciary Committee in both the House and Senate. Klein was responsible for authoring and sponsoring landmark legislation resulting in major improvements in laws relating to children and women's rights, including equal pay, minimum wage, community property laws, divorce, domestic violence, education laws and passage of the Uniform Probate Code in 1971. Sixth District Court Judge Randy Smith, the former Chair of the Idaho Republican Party, described Klein as,

a formidable legislator and tough competitor. She was not afraid of a fight; she knew how to organize for a battle and get her legislation passed or other legislation stopped. However, she was foremost a lady; never doing anything that would cause other than the most respect for her.

In 1965, Governor Robert E. Smylie created the Governor's Commission on the Status of Women by executive order, which was patterned after the Federal Commission on the Status of Women first formed by President John F. Kennedy in 1961. Smylie appointed Klein as its inaugural chair, a position she held through 1971. Klein recalled that the 1960s were a time of change as women found an increasing role in society and, with that, greater rights. The Commission worked on legislation to improve the rights of women and their families. In 1970, the Commission was renamed and created as a statutory commission under state government. Klein considered her work on the Commission to be "cutting edge."

Klein served actively on a number of cultural and philanthropic boards in Boise, including service as the first chairman of the Idaho Governor's Commission of Women's Programs and president and member of the boards of Boise Philharmonic Association, Opera Idaho and Boise Music Week. She was honored by the Boise Altrusa Club in 1966 and in 1970, as the Greater Boise Chamber of Commerce "Woman of the Year," and, in September 1998, was inducted into the Idaho Hall of Fame. Klein was honored with a 50-year service award during the 1998 Idaho State Bar annual meeting.

Klein died on December 31, 1998, in Boise at the age of 83.